

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Application No.: 10/524,086

Examiner: _____

Int'l Application No.: PCT/US03/25018

Int'l. Application Filing Date: August 08, 2003

Art Unit: _____

Inventors: Nord et al.

Title: Method and Apparatus For Disposing of Liquid Surgical Waste For Protection of Healthcare Workers

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**CORRECTION OF INVENTORSHIP
IN A PATENT APPLICATION, OTHER THAN
A REISSUE APPLICATION, PURSUANT TO 35 U.S.C. § 116
(37 C.F.R. § 1.48)**

It is hereby respectfully requested that the above-referenced application be amended pursuant to 37 C.F.R. § 1.48 to correct inventorship by adding the following individual as an additional inventor: Marshall C. Ryan

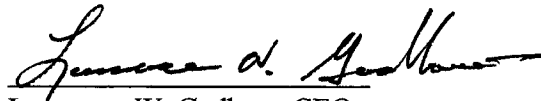
1. Pursuant to 37 C.F.R. § 1.48(a)(2), enclosed herewith is a statement by Marshall C. Ryan stating that the error in inventorship occurred without deceptive intention on his part. Also attached hereto is a declaration of inventorship executed by Marshall C. Ryan.

2. Pursuant to 37 C.F.R. § 1.48(a)(5), BioDrain Medical, Inc., an assignee of record of the above referenced patent application, hereby consents to the amendment to correct inventorship to add Marshall C. Ryan as an inventor to said application.

3. Submitted herewith is an executed statement under 37 C.F.R. § 3.73(b) establishing the authority of BioDrain Medical, Inc. to request the action to be taken to correct the inventorship of said application.

4. The required processing fee of \$130.00 as set forth in 37 C.F.R. § 1.17(i), is attached hereto.

Respectfully submitted,
BioDrain Medical, Inc.


Lawrence W. Gadbaw, CEO

Date: Mach 24, 2006

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: BioDrain Medical, Inc.

Application No./Patent No./Control No.: 10/524,086 Filed/Issue Date: February 9, 2005

Entitled: Method and Apparatus For Disposing of Liquid Surgical Waste For Protection of Healthcare Workers

BioDrain Medical, Inc., a Corporation
(Name of Assignee) (Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____%)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 016694, Frame 0608, or a true copy of the original assignment is attached.
- OR
- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Lawrence W. Gadbow
Signature

March 24, 2006
Date

Lawrence W. Gadbow
Printed or Typed Name

(952) 942-0093
Telephone Number

CEO
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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A REISSUE APPLICATION, PURSUANT TO 35 U.S.C. § 116
(37 C.F.R. § 1.48)**

It is hereby respectfully requested that the above-referenced application be amended pursuant to 37 C.F.R. § 1.48 to correct inventorship by adding the following individual as an additional inventor: Marshall C. Ryan.

In support of the request for amendment, the undersigned states and submits the following:

1. The error in inventorship occurred without any deceptive intent on the part of Marshall C. Ryan;
2. The required processing fee of \$130.00 as set forth in 37 C.F.R. § 1.17(i), is attached hereto.

3. Declaration of Inventorship:

I, Marshall C. Ryan, a citizen of the United States, declare that I am an inventor of the subject matter that is claimed in at least one of the pending claims in the above-referenced application as published in Pub. No. US2005/0209585 on September 22, 2005 and for which a patent is sought. I have reviewed and understand the contents of the above-referenced application, including the claims, as published in Pub. No. US2005/0209585 on September 22, 2005. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. All statements made herein of my own knowledge are true, and all statements made herein on information and belief are believed to be true. The statements herein are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

Dated: March 8th 2006

Marshall C. Ryan
Marshall C. Ryan

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Selene K. Berger
Notary exp.
May 20, 2007